

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROYAL INSURANCE COMPANY OF AMERICA, an Illinois Corporation, ROYAL INDEMNITY CO., a Delaware Corporation, and AMERICAN AND FOREIGN INSURANCE COMPANY, a Delaware Corporation,

Plaintiffs,

VS.

LATROBE CONSTRUCTION COMPANY,
Defendant.

Civil Action No. 00-2128

The Hon. Francis X. Caiazza
Chief Magistrate Judge

MOTION FOR LEAVE OF COURT TO
FILE WITHDRAWAL OF APPEARANCE
OF J. MATTHEW HORGAN, ESQUIRE

ELECTRONICALLY FILED

MOTION FOR LEAVE OF COURT TO FILE WITHDRAWAL OF APPEARANCE OF
J. MATTHEW HORGAN, ESQUIRE

AND NOW, come Plaintiffs Royal Insurance Company of America, Royal Indemnity Company, and American and Foreign Insurance Company (“Plaintiffs”), and seek leave of Court to file their Withdrawal of Appearance pursuant to L.R. 83.2.2(D).

1. On March 19, 2004, Attorney Bruce C. Fox entered his Notice of Appearance in this case on behalf of Plaintiffs; however, Attorney J. Matthew Horgan is still listed as one of the attorneys of record.

2. Mr. Fox has represented the interests of Plaintiffs since March 2004 and continues to do so.

3. Mr. Horgan is no longer active counsel in the above-captioned matter, consents that he need not receive documents concerning the case, and further consents to the withdrawal of his appearance in this matter.

Respectfully submitted,

OBERMAYER REBMANN MAXWELL & HIPPEL LLP

s/Bruce C. Fox

Bruce C. Fox, Esquire

PA I.D. 42576

bruce.fox@obermayer.com

One Mellon Center, Suite 5240

500 Grant Street

Pittsburgh, PA 15219

P: (412) 566-1500

F: (412) 566-1508

Date: September 28, 2005

Counsel for Plaintiff Royal Insurance Company of America

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing *Motion for Leave of Court to File Withdrawal of Appearance of J. Matthew Horgan, Esquire* was sent on this 28th day of September 2005 and addressed as follows:

VIA US MAIL

J. Matthew Horgan
Dickie, McCamey & Chilcote, P.C.
Two PPG Place, Suite 400
Pittsburgh, PA 15222

and

VIA ECF NOTIFICATION

Mark Gordon, Esquire
Pietragallo Bosick & Gordon
One Oxford Centre, 38th Floor
Pittsburgh, PA 15219

s/Bruce C. Fox
Bruce C. Fox, Esquire